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2      Entered on Docket  
3      June 22, 2010



Hon. Linda B. Riegle  
United States Bankruptcy Judge

5      **LEWIS AND ROCA LLP**

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7      John Hinderaker (AZ 018024)  
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16     *Attorneys for USACM Liquidating Trust*

17     **UNITED STATES BANKRUPTCY COURT**  
18     **DISTRICT OF NEVADA**

19     In re:

20     USA COMMERCIAL MORTGAGE COMPANY,

21     Case No. BK-S-06-10725-LBR

22     CHAPTER 11

23     Jointly Administered Under  
24     Case No. BK-S-06-10725 LBR

25     **Order Sustaining Second Omnibus  
26     Objection Of USACM Trust To Proofs Of  
27     Claim Based In Whole Or In Part Upon  
28     Investment In The 60<sup>th</sup> Street Venture,  
29     LLC Loan**

30     Hearing Date: June 15, 2010

31     Hearing Time: 9:30 a.m.

32     The Court having considered the "Second Omnibus Objection Of USACM Trust  
33     To Proofs Of Claim Based In Whole Or In Part Upon Investment In The 60th Street Venture,  
34     LLC Loan" [DE 8046] (the "Objection"); the Court having heard the Objection on  
35     June 15, 2010; appropriate notice of the Objection having been given; no response to the  
36     Objection having been filed; and good cause appearing:

1           **IT IS ORDERED** that:

2           1. The Objection [DE 8046] is sustained;  
3           2. The claims listed on **Exhibit A** attached are disallowed to the extent those  
4 claims are based upon an investment in the 60th Street Venture, LLC Loan for the reasons  
5 set forth in the objection.

6           3. The claims listed on **Exhibit A** are not affected by this order to the extent  
7 they are based upon an investment in another loan.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

11 By/s/ Robert M. Charles, Jr. (# 6593)

12           Robert M. Charles, Jr.  
13           John Hinderaker (*pro hac vice*)  
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15           *Attorneys for USACM Liquidating Trust*

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1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021  
23 In accordance with Local Rule 9021, the undersigned certifies:  
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- The Court waived the requirements of approval under LR 9021.
- This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document.]
- This is a chapter 11 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.
- I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

U.S. Trustee:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ Robert M. Charles, Jr.  
Attorneys for USACM Liquidating Trust

# # #

## Exhibit A

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the 60th St. Venture, LLC Loan
10725-01408	Stanley and Florence Alexander Ind. and as Trustees	Robert C LePome 10120 S. Eastern #200 Henderson, NV 89052 AND P.O. Box 95144 Longwood, FL 32779	\$400,000.00	\$25,000.00
10725-01716-2	Donna M. Cangelosi Family Trust	c/o Donna M Cangelosi Trustee 5860 Lausanne Drive Reno, NV 89511-5034	\$1,537,121.72	\$40,000.00
10725-02050	Kay M. Cantrell and Kay J. Hart Jt Ten	455 Magnolia Avenue Fairhope, AL 36532	\$77,415.06	\$25,000.00
10725-00092	James Corison	1427 Kearney Street Helena, CA 94574 AND James Corison P.O. Box 21214 Riverside, CA 92516	\$1,023,000.00	\$25,000.00
10726-00067	D. Joseph Douchet	Trustee of Doucet Trust 6124 Greenbrook Drive Reno, Nevada 89511-8528 AND Trustee Of Douchet Trust 3301 Skyline Boulevard Reno, NV 89509-6604	\$502,335.71	unknown
10725-00526	Christopher Fernandes	4001 Oak Manor Court Hayward, CA 94542	\$93,287.54	\$35,216.00
10725-02467	Foxcroft Living Trust Dtd 1/10/02	Fred J and Roberta Foxcroft Ttees P.O. Box 362 Carnelian Bay, CA 96140-0362	\$553,778.99	\$30,000.00
10725-01865	Adrian Oosthuizen, Jr.	5860 Lausanne Drive Reno, NV 89511	\$2,711,295.30	\$60,000.00
10725-01214-2	Phillip Rulon	2800A Wrondel Way Reno, NV 89502	\$503,479.62	\$25,000.00
10725-02175	Alan R. and Judith B. Simmons Hwjtros	P.O. Box 13296 South Lake Tahoe, CA 96151-3296	\$1,186,288.22	\$25,000.00
10725-02428	Tiki Investment Enterprises Lp	2578 Highmore Avenue Henderson, NV 89052	\$2,400,256.00	\$150,000.00
10725-01365	Richard G. Vrbancic	103 Willow Brook Drive N.E. Warren, OH 44483-4630	\$270,000.00	\$25,000.00